

REMARKS

Claims 1-23 are in the application. Entrance of this Amendment after final, reconsideration and reexamination are each respectfully requested.

1. Rejections Under 35 U.S.C. §102(e)

Claims 1-23 remain rejected under 35 U.S.C. §102(e) as being anticipated by the reference art patent no. 6,411,204 to Bloomfield ["Bloomfield"].

Applicant categorically rejects the assertion of the Examiner that Bloomfield either teaches or suggests Applicant's claimed "second sensing any presence of brake light emissions to the forward of the.. vehicle... [so as to] activat[e]... the brake lights of the vehicle during the persistence of... brake light emissions of another vehicle as [is] determined by the second sensing." (Claim 1)

The Examiner cites Bloomfield column 4, lines 5-45 in support of his assertion that Bloomfield teaches [second] sensing any presence of brake light emissions to the forward of the subject vehicle.

At best Bloomfield teaches only **proximity sensing** to the forward of the subject (his) vehicle, which (forward) proximity sensing may be realized by collision avoidance systems or proximity sensors including cameras (or other optical sensors), sonar, radar, and/or infrared beaming/detecting devices and the like. The Examiner then proceeds to make much out of his observation that said **proximity** sensing can be optical and, in the Examiner's opinion, would or should consider brake light emissions to the forward.

Where does the Examiner read in Applicant's claim that

Applicant is concerned with, or is claiming, **proximity** sensing? More fundamentally, and more on point of the rejection under 35 U.S.C. section 102(e), where does the Examiner find that Bloomfield, or any other of the art of reference, either teaches or suggests activating the brake lights of the subject vehicle **merely** on the sensing of brake lights to the fore of the vehicle -- proximity be damned?

Applicant's system is directed to propagating the occurrence of brake lights to the rearward in a chain of vehicles, and is especially useful in the platooning of vehicles.

The system of Bloomfield is concerned with making sophisticated displays -- such as may vary in brightness, rate, etc. -- with and in his indicator 14 as a function of the deceleration rates, proximity (and collision imminence), hard braking, and internal conditions (overheating, etc,) of the subject vehicle. This system would seemingly **not** work to its essential "DECELERATION BASED ANTI-COLLISION SAFETY..." purposes **should** the system indicator light be activated by **mere** detection of brake light emissions -- which will most commonly be (during normal driving) at some long, and safe, distance ahead,

Conversely, Applicant's taught and claimed system will not work to its essential purpose of alerting vehicles situated to the rearward in a queue to the fact that vehicles to the forward are showing brake lights but for Applicant's "daisy chained", or (as is the terminology evidently preferred by the Examiner) "piggybacked", application of brake lights.

As Applicant stated in his previous amendment response:

"The Examiner apparently assets that the proximity sensing [of Bloomfield], which may be optically based, is equivalent to Applicant's claimed sensing of brake lights [for Applicant's claimed purpose: namely, Applicant's directly claimed purpose of activating the brake lights of the subject vehicle, and also Applicant's indirect purpose of

alerting all the vehicles to the rearward of the braking vehicle]. It is not. Brake lights are one thing, proximity is entirely something else."

Again, Applicants claims clearly specify activating of brake lights based **only** upon (optical) detection of brake lights to the forward (or actual activation of the vehicle's bakes). (It is deemed superfluous to again quote Applicant's claim language to this effect.) Such a mode of activation is neither taught nor suggested by Bloomfield or any other of the art of reference.

2. Summary

The present amendment and remarks have overcome and discussed each of the bases for the rejections presented in the Office Action. No new subject matter has been introduced by the present amendment.

In consideration of the preceding amendment and accompanying remarks, the present amendment is deemed worthy of consideration, and the present application is deemed in condition for allowance. The timely action of the Examiner to that end is earnestly solicited.

Applicant's undersigned attorney is at the Examiner's disposal should the Examiner wish to discuss any matter which might expedite prosecution of this case.

Sincerely yours,

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CERTIFICATION UNDER 37 CFR 1.10

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I hereby certify that this AMENDMENT and the documents referred to as attached therein are being deposited with the United States Postal Service as first class mail, postage prepaid, addressed to Box AF (Amendment after Final) - Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date written below.

April 4, 2005  
Date

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